

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Rekor Systems, Inc.

No. 19-cv-7767(VEC)

Plaintiff,

v.

**Declaration of  
Robert C. Boneberg**

Suzanne Loughlin, Harry Rhulen and  
James Satterfield

Defendants

And

CrisisRisk Strategies, LLC

Additional Plaintiff  
On Counterclaims

v.

Robert A. Berman, Eyal Hen,  
James K. McCarthy, Paul A. de Bary,  
Glenn Goord, Christine Harada, David  
Hanlon, Richard Nathan, Steven  
D. Croxton, Firestorm Solutions, LLC,  
and Firestorm Franchising, LLC

Additional Defendants  
On Counterclaims

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I declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney admitted to practice in this Court. I submit this Declaration in support of Defendants' motion under Fed. R. Civ. P. 12 (c) for judgment on the pleadings dismissing the claim for rescission in the second amended complaint herein.

2. Attached hereto as Exhibit 1 is the 2<sup>nd</sup> Amended Complaint, filed on January 30, 2020, together with the exhibits thereto. Attached hereto as Exhibit 2 is the Answer with Affirmative Defenses and Counterclaims, filed on February 28, 2020, together with the exhibits thereto. Attached hereto as Exhibit 3 is the Answer to Counterclaims With Affirmative Defenses, filed on April 22, 2020. Attached hereto as Exhibit 4 are relevant pages from Rekor's Form S-1, filed on November 28, 2017. Attached hereto as Exhibit 5 are relevant pages from Rekor's Form 10-Q filed on May 14, 2019. Attached hereto as Exhibit 6 are relevant pages from Rekor's Form 10-Q, filed on August 14, 2019. Attached hereto as Exhibit 7 are relevant pages from Rekor's Form 10-Q, filed on November 15, 2019. Attached hereto as Exhibit 8 are relevant pages from Rekor's Prospectus, filed on August 4, 2017. Attached hereto as Exhibit 9 is Rekor's Form 8-K, filed on October 12, 2018.

3. For the reasons set forth in the accompanying memorandum of law, Defendants' motion for relief under Rule 12 (c) should be granted.

April 26, 2020



Robert C. Boneberg